

**GROUND WATER MANAGEMENT COMMISSION
ADVISORY TASK FORCE
16TH MEETING
SUMMARY
Monday, February 3, 2003**

Prepared by:

Department of Natural Resources

Office of Conservation

Ground Water Management Staff

Call to Order

Advisory Task Force members in attendance:

Karen Gautreaux, Governor's Office

Jess Barr, Cotton Producers Association

Bill Branch, LSU Agricultural Center, Designee

Representative William Daniel, Representing the Speaker of the House

Charles R. Demas, USGS, Water Resources Division

Timothy W. Duex, University of Louisiana at Lafayette, Geology Department

Henry T. Graham, Jr., Louisiana Chemical Association

Bradford Hanson, Louisiana Geological Survey

Senator Fred Hoyt, President of the Senate, Designee

Darwin Knochenmus, Capital Area Ground Water Conservation District

Randy Lanctot, Louisiana Wildlife Federation

Steve Levine, Association of Public Utilities

R. Michael Lyons, Mid-Continent Oil & Gas Association

Kyle McCann, Louisiana Farm Bureau

Olevia McDonald, Sparta Ground Water Conservation District

Jeffrey A. Nunn, L.S.U. Department of Geology

Eugene H. Owen, Municipal Water Association

Ann L. Pettit, League of Women Voters

Edmond J. Preau, Red River Compact Commission

Bradley E. Spicer, Soil and Water Conservation

Charles W. Stahr, Louisiana Pulp and Paper Association

Commissioners in attendance:

Bill Cefalu, Police Jury Association

Dean Lowe, Department of Health & Hospitals, Office of Public Health

Brad Spicer, Department of Agriculture and Forestry

Jim Welsh, Department of Natural Resources

Update on Staff Activities

The staff spent most of their time preparing and mailing packages of brochures to the following entities: the Louisiana Chambers of Commerce, the League of Women Voters, members of the State Legislature, the Louisiana Interchurch Conference, the Police Jury Association of Louisiana, the Louisiana Press Association, Mayor-President Bobby Simpson, Public Information-Media Relations, the State Library and Water Well Drillers registered in the State of Louisiana. The staff also spent time preparing a response to the written comments received regarding the Sparta Hearing, reviewing the Sparta application and preparing a power point presentation for the Legislative Oversight Committee.

The staff attended the Acadiana Resource Conservation and Development Council, Inc., 2003 Annual Meeting in Crowley, Louisiana. Senator James David Cain spoke about water issues in Louisiana. He recognized and thanked the Ground Water Management Commission staff for their hard work.

Tony Duplechin will speak during the Department of Environmental Quality Conference on Waste and the Environment. Booth space will be provided for the staff. The conference is scheduled in Lafayette during the week of March 17th.

Advisory Task Force Committee Reports**Technical Committee**

A report was given on well yield threshold versus casing diameter. The discussion included the pros and cons of using flow meter information. The benefit of using flow values in the permitting process is that the field person will use a flow meter and information on the pump in the well to verify the users application if the need arises. The benefit of using yield is to get a number which better reflects potential stress on the aquifer.

The committee questioned whether legislation can or should be written that has aquifer specific casing size or yield requirements. A copy of the report was distributed to the Task Force and public. Mr. Charlie Demas recommended using casing size due to easier measurement.

Old Business: Discussion of the *Statewide Water Management Program – A Plan for Implementation*:

Item 1. The legal status of subterranean water as a mineral under the Mineral Code.

Mike Lyons met with other representatives of industry to discuss the three items on the agenda. Other attorneys representing industry recommended not moving forward with a specific recommendation to the legislature since it is already in the Mineral Code. There is the belief that people own the water under their property and many legal scholars state that they do. Mr. Lyons felt this is an issue for the legislature to address.

The discussion of the legal status of subterranean water as a mineral under the Mineral Code was lengthy and diverse. Some of the Task Force members felt a recommendation should be made to the legislature while others believe only a more specific definition of water as mineral under the Mineral Code is needed.

A decision was made to have a round table discussion at a later date. This would be a special meeting and would include additional attorneys to obtain their views on the Mineral Code. Karen Gautreaux asked that the names be sent to her office or to Tony Duplechin.

Item 4. The registration and permitting of wells.

It was agreed that all wells drilled in the future would be registered. Discussion of permitting of wells ranged from permitting all wells drilled in the future to permitting future wells drilled in critical ground water areas only. Permitting all wells drilled in the future would be a protective measure. One scenario mentioned was the consequence of a large well drilled for several users.

USGS proposed using 6" or 8" casing as a starting point. One potential problem with the recommendation is that different aquifers react differently. The amount pumped in a certain size casing would impact the Sparta differently than the Chicot. Existing wells would not need a permit only on new wells.

The public notice requirements were also discussed. The screening process may not necessarily mean the owner would have to go through the whole process. One recommendation was to give a 21 day notice and use registered mail.

The question still remains as to what determines the need for a permit.

Item 3b. The agency/division structure.

No discussion.

Public Question and Comment

One question arose about levy and penalties. A DOTD representative explained that drillers who do not follow the rules in the Administrative Procedure Act could have their license revoked.

Schedule of Next Meeting

The Advisory Task Force is tentatively scheduled for Friday, February 21, 2003, at 9:30 a.m. in the Griffon Room of the LaSalle Building. The meeting will be a round table discussion of water in relationship to the Mineral Code.

Adjourn

The meeting adjourned at 4:00 p.m.